



**SINGAPORE
LEGAL SERVICE**

2 0 1 9 I N R E V I E W



OUR MISSION

The mission of the Legal Service Commission is to maintain a dedicated corps of officers with integrity and ability to staff the Judiciary, the Attorney-General's Chambers and the Legal Service departments of various Ministries and other arms of Government.

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**THE JUDICIAL
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THE JUDICIAL BRANCH

The Judicial Branch of the Legal Service is a key component of the Singapore Judiciary, and is presided over by the Chief Justice. The Legal Service Officers (“LSOs”) in the Judicial Branch serve in the Supreme Court Registry, the Justices’ Law Clerks (“JLC”) pool at the Supreme Court, the Office of the Chief Justice at the Supreme Court, the Singapore Judicial College (“SJC”), the State Courts, and the Family Justice Courts (“FJC”).

The LSOs in the Supreme Court Registry are supervised by the Registrar of the Supreme Court.

The JLCs and the Office of the Chief Justice, including the Office of Transformation and Innovation (“OTI”), come under the direct oversight of the Chief Justice.

The LSOs in the State Courts and the FJC are supervised by the Presiding Judge of the State Courts and the Presiding Judge of the FJC respectively.

The Supreme Court

Supreme Court Registry and Justices’ Law Clerks

The Registry of the Supreme Court supports the work of the Court of Appeal, the High Court and the Singapore International Commercial Court (“SICC”). It is led by the Registrar, who is assisted by the Deputy Registrar, Senior Assistant Registrars, Divisional and Deputy Divisional Registrars, and Assistant Registrars (collectively, “registrars”).

In their judicial capacity, the registrars hear a wide spectrum of matters in the High Court. These include applications (*e.g.*, for summary judgment or striking out), mortgage actions, taxation, and assessments of damages. The registrars also play an important role in judicial case management in the High Court, where orders and directions are given for the just, expeditious and economical disposal of causes or matters through the conduct of pre-trial conferences.

Some registrars additionally serve in the Divisional Registry of the Court of Appeal and/or the Divisional Registry of the SICC. In these capacities, they assist the Judges of the Court of Appeal and the SICC, including the International Judges, in the management of cases in those courts.

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Beyond their judicial roles, the registrars contribute significantly in shaping, reviewing and implementing court processes, as well as reforms to enhance the administration of justice. Major initiatives that the registrars worked on in 2019 include the establishment of the Appellate Division of the High Court, the continuation of the work of the Civil Justice Commission and the Criminal Procedure Rules Committee, and the ongoing development of a new standard-setting body of procedural rules for the SICC.

The registrars also supported the Chief Justice and the Judges of the Supreme Court on various international engagements and key strategic initiatives in 2019. These include the 41st ASEAN Law Association Governing Council Meeting, the 7th Council of ASEAN Chief Justices Meeting, the 3rd Singapore-China Legal and Judicial Roundtable, as well as work relating to the Standing International Forum of Commercial Courts and the Judicial Insolvency Network.

The Supreme Court Bench is also supported by JLCs, who provide research assistance to the Judges and Judicial Commissioners of the Supreme Court.

The JLCs are appointed for a term of two years and receive the unique privilege of mentorship by the Judges and Judicial Commissioners of the Supreme Court. In their first year, they are assigned to the Judges and Judicial Commissioners of the High Court. They then clerk for the Chief Justice and Judges of Appeal in their second year.

As of 31 December 2019, there were 33 LSOs in the Supreme Court Registry – the Registrar, the Deputy Registrar, four Senior Assistant Registrars and 27 Assistant Registrars. The Deputy Registrar and two Senior Assistant Registrars were concurrently designated the Divisional Registrar of the Court of Appeal, Divisional Registrar of the High Court and Divisional Registrar of the SICC, while five Assistant Registrars were concurrently designated Deputy Divisional Registrars of the Court of Appeal or of the SICC. The registrars are further concurrently appointed as District Judges or Magistrates in accordance with written law. Thirty-six JLCs served in the Supreme Court in 2019.

Teh Hwee Hwee (Ms)

Registrar

Supreme Court

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Office of the Chief Justice

The Chief Executive (Office of the Chief Justice) (“CE”) oversees administrative and operational matters for the Supreme Court and the FJC. In 2019, the CE led efforts to support the 3rd Singapore-China Legal and Judicial Roundtable, held in Beijing on 28 August 2019, resulting in the signing of a Memorandum of Understanding on Advancing Continuing Judicial Education between the Supreme Court and the Supreme People’s Court of the People’s Republic of China. Closer to home, the CE oversaw the development and realisation of the Judicial Heritage Gallery.

The OTI was established in 2019 to drive transformation efforts across the entire Judiciary. Led by the Chief Transformation and Innovation Officer, the OTI is involved in a wide range of transformation activities and the implementation of the Courts of the Future roadmap.

As at 31 December 2019, there were three LSOs in the Office of the Chief Justice.

Juthika Ramanathan (Ms)
Chief Executive
 Office of the Chief Justice

Singapore Judicial College

The SJC serves the learning and development needs of judges. In 2019, one focus of SJC’s local programmes was on “deep-dive” sessions in collaboration with its partners, such as the insolvency masterclass, probability and statistics series and legal technology modules. The SJC continued to undertake paid customised local and foreign engagements.

The SJC’s international programmes reached 239 more participants from 11 jurisdictions, bringing its alumni close to 1,500 foreign judges and officials from 87 jurisdictions. The SJC was invited to speak at the biennial International Organization for Judicial Training Conference and the Korean Judicial Research and Training Institute International Conference. As for international collaborations, SJC continued to work closely with the Chinese National Judges College and embarked on implementing the memorandum of understanding signed between the Supreme Court of Singapore and the Supreme People’s Court of the People’s Republic of China relating to judicial education. The SJC also held productive institutional exchanges with the United States’ Federal Judicial Center and other American courts.

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The SJC's empirical judicial research initiative generated high quality research relevant to innovating court policies and practices. Three research proposals were accepted in 2019, making a total of 15 approved projects.

As at 31 December 2019, there were two LSOs in the SJC.

Foo Chee Hock

Dean

Singapore Judicial College

The State Courts

2019 was a memorable year for the State Courts. We bade farewell to the “Octagon” building and moved into our new home in the State Courts Towers, which house 53 courtrooms and 54 hearing chambers, as well as various public facilities such as a Business Centre and a Help Centre.

The State Courts Heritage Gallery was opened in the first official event held in the State Courts Towers. The Gallery seeks to preserve the State Courts' shared heritage and share the State Courts' transformation journey through the years with the public.

To deliver better court services, the State Courts Centre for Specialist Services was launched to provide counselling and psychological services to court users by a team of experienced psychologists,

counsellors and social workers. One of its programmes is the “Early Engagement of Offenders Below 21 Years” initiative, which targets eligible youthful offenders even prior to the conclusion of criminal proceedings, to prevent them from reoffending. The initiative puts suitable youthful offenders in touch with various community stakeholders, to empower them to change their lives for the better. This reinforces the court's sentencing policy geared towards the rehabilitation of youthful offenders.

To enhance access to justice and court processes in the civil sphere, the State Courts introduced the pre-action protocol for business-to-business debt recovery claims via the State Courts Practice Direction 144. By providing more information and encouraging negotiation between parties at an early stage, the protocol provides a framework for parties to resolve such disputes informatively, timeously and inexpensively.

The State Courts also contributed to public legal education through the publication of two books authored by Judicial Officers of the State Courts. The first book – *“Practitioners' Guide on Damages Awarded for Defamation Cases in Singapore”* – seeks to clarify both the law and the adjudication process of the tort of defamation in Singapore. The second book – *“Law and Practice of Tribunals in Singapore”* – elaborates on the critical role tribunals play in the administration of justice in Singapore.

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The State Courts are committed to leveraging technology to improve court services and user experience. One example is the piloting of the Intelligent Court Transcription System (“iCTS”), which allows for real time transcription by instantly transcribing oral evidence in court proceedings without court reporters or transcribers, cutting down the time taken for transcription considerably. For the iCTS, the State Courts received the OpenGov Recognition of Excellence 2019 Award at the 5th Annual Singapore OpenGov Leadership Forum, which recognizes the excellent use of information and communications technology by government agencies. Another example was the State Courts’ Community Justice and Tribunals System (“CJTS”), which provides a fully integrated justice solution that allows parties to file claims and settle certain disputes online. In 2019, the State Courts won the National Association for Court Management (“NACM”) and Court Information Technology Officers Consortium Award for the CJTS at the NACM Annual Conference in Las Vegas.

As at 31 December 2019, there were 91 LSOs in the State Courts.

Justice See Kee Oon
Presiding Judge
 State Courts

The Family Justice Courts

In September 2019, the inter-agency Committee to Review and Enhance Reforms in the Family Justice System (“RERF Committee”) submitted its report to the Ministry of Law and the Ministry of Social and Family Development (“MSF”). It proposed recommendations towards therapeutic justice through community partners working together to strengthen early support for families facing breakdown and further enhancements to the family justice system.

Following the release of the RERF Committee’s recommendations, the Mental Capacity Act module in the FJC’s integrated Family Application Management System (“iFAMS”) was expanded to allow more common types of applications to be filed online under a simplified track. Besides benefitting from a simpler process, this expansion enables court users to receive quicker responses and incur less costs.

FJC similarly leveraged technology in maintenance matters. It introduced an *Online Show Payment* facility whereby respondents who had been ordered to submit proof of their maintenance payments may, in appropriate cases, be allowed to submit such proof electronically to the Court through iFAMS instead of doing so in person. FJC also piloted an *Offer to Resolve* facility whereby parties

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may voluntarily make and accept offers for spousal or children's maintenance and the variation of such orders on iFAMS.

FJC also designed a series of programmes to enhance the competencies of Family Court judges and the wider network of professionals in its aspirations to deliver timely and effective therapeutic justice. An inaugural family judges' *Learning Week* and a specialised family judges curriculum were launched in 2019. The specialist curriculum included training on judge-led case management and social science perspectives aimed at supporting judges working within a multi-disciplinary framework.

In March 2019, FJC jointly organised a *Family Mediation Symposium* with The Hague Conference on Private International Law, bringing together judges, lawyers, Central Authorities, and academics to share and discuss issues, challenges and best practices in mediating family disputes. FJC held its third International Advisory Council ("IAC") meeting and the *Family Justice Practice Forum* jointly organised with the MSF in October 2019. The forum included speakers from the IAC, and focused on various multi-disciplinary solutions that support families towards a restorative way forward.

FJC has set up a Process Transformation Committee and embarked on a design thinking initiative in anticipation of its move to the former State Courts building (affectionately known as the "Octagon") in 2023.

Family justice has undergone significant changes since the FJC was established in 2014. FJC is blessed with LSOs who have been the backbone of these reforms, and who remain committed and inspired in a challenging landscape, united by a common mission to find a way forward for all distressed families.

As at 31 December 2019, there were 38 LSOs in the FJC.

Justice Debbie Ong

Presiding Judge

Family Justice Courts



**THE LEGAL
BRANCH**

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The Attorney-General heads the Legal Branch. Legal Service Officers (“LSOs”) in the Legal Branch serve in the Attorney-General’s Chambers (“AGC”), departments of Ministries with LSO positions, or statutory boards/statutory bodies and key public institutions.

The Attorney-General’s Chambers

The AGC is led by the Attorney-General, with the Deputy Attorneys-General and the Solicitor-General. In 2019, the AGC continued under the leadership of Mr Lucien Wong Yuen Kai as the Attorney-General, Deputy Attorneys-General Mr Lionel Yee Woon Chin and Mr Hri Kumar Nair, and Solicitor-General Mr Kwek Mean Luck.

The AGC performs a critical role as the guardian of the public interest and the steward of the rule of law. As Government’s chief legal advisor and drafter of laws, the AGC advises

Government on a wide spectrum of legal issues and the development of proposals for legislation, to ensure that Government’s policy objectives are advanced within the framework of the rule of law. As the office of the Public Prosecutor, the AGC exercises overall control and direction in the conduct of criminal proceedings independently of Government. The AGC also represents Singapore at international negotiations and dispute settlement proceedings, and acts as the central authority for mutual legal assistance in criminal matters and extradition.

The Attorney-General is assisted by the LSOs in the four legal divisions of the AGC. These are the Crime Division, the International Affairs Division (“IAD”), the Civil Division and the Legislation Division (“LEGIS”). The LSOs in the AGC Academy (“Academy”), Advocacy Group and the Legal Technology & Innovation Office (“LTiO”) are also crucial pillars of the work of the AGC.

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Advocacy Group

2019 saw the expansion of the Advocacy Group to a team of seven LSOs and one Legal Executive. With an expanded team, the Advocacy Group took on a wider range of disputes matters from criminal trials, judicial reviews, cases under the Protection from Online Falsehoods and Manipulation Act 2019 (“POFMA”) to international arbitration/mediation. Notable matters included:

- (a) **First Singapore International Mediation Centre (“SIMC”) mediation** – Appositely for the year the UN Convention on International Settlement Agreements Resulting from Mediation was signed in Singapore, the Advocacy Group represented Government in an international commercial mediation in Seoul under the SIMC’s Arb-Med-Arb procedure.
- (b) **POFMA** – The Advocacy Group worked with several Ministries to advise on the first case in which POFMA was invoked. The Advocacy Group continues to form part of the AGC’s cross-divisional team set up to handle POFMA cases.

- (c) **Pan-Island Expressway (“PIE”) Collapse Trial** – The Advocacy Group and Crime Division have conducted the criminal prosecution against the parties involved in the collapse of the PIE viaduct in July 2017. The ongoing complex and lengthy trial involves high-tech litigation graphics.
- (d) ***Steep Rise Ltd v Attorney-General* [2020] SGCA 20** – The Advocacy Group and the IAD successfully opposed an appeal to the Court of Appeal relating to the Mutual Assistance in Criminal Matters Act (“MACMA”). The Advocacy Group will expand its role in contentious MACMA matters in 2020.

The Advocacy Group also co-organised the “Train the Trainers” event with the AGC Academy, coming up with case materials and playing a role in the event’s smooth running.

As at 31 December 2019, there were seven LSOs in the Advocacy Group.

Kristy Tan Ruyan (Ms)

Senior Director

Advocacy Group

Attorney-General’s Chambers

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AGC Academy

The Academy is dedicated to serving the AGC's professional and leadership training and Knowledge Management ("KM") needs. Following the success of the inaugural Public Sector Legal Forum ("PSLF") in 2018 that brought together Legal Branch LSOs and in-house lawyers in Ministries and statutory boards, the Academy launched the PSLF Seminar Series in 2019 to provide a continuing platform for public sector lawyers to discuss legal issues affecting AGC and the public sector. The Academy also established the Public Counsel Legal Network to provide a further channel for networking and collaboration between AGC and other public sector agencies. Access to the AGC's intranet portal, Portia, was granted to Legal Branch LSOs, allowing them access to valuable KM material, guidelines and templates.

As part of its new Leadership Development Architecture developed in partnership with the Civil Service College, the Academy launched a two-week Foundational Leadership

Programme designed to support LSOs' transition from an individual contributor to one who has leadership responsibilities and influence in the organization. Two runs of the programme were completed in 2019.

The Academy increased the publishing frequency of its KM bulletins from fortnightly to weekly. These bulletins capture notable local and foreign judgments and key legal developments. The Academy also supported the KM features in AGC's upcoming Intelligent Workspace.

The Academy contributed a country report to the 2019 Global Review of Constitutional Law, and two articles to the Singapore Academy of Law Journal.

As at 31 December 2019, there were five LSOs in the Academy.

Hui Choon Kuen

Dean

AGC Academy

Attorney-General's Chambers

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Legal Technology & Innovation Office

Established in 2017, the LTiO formulates effective ways of leveraging technology across the AGC, empowers the AGC's officers to use technology more effectively, supports future management decisions on strategic technology investments and helps foster a culture of innovation within the AGC.

In 2019, the LTiO focused on two key areas in which the legal industry can benefit from technology. First, through its Review Lab, the LTiO explored the use of text analytics and advanced processing technologies for the effective review of large volumes of information. In this regard, the LTiO assisted in developing a smarter search engine utilizing Natural Language Processing techniques to allow LSOs to effectively search an underutilized data resource. Second, under the ambit of its Service Lab, the LTiO worked together with the Civil Division, utilising an expert system

to leverage upon the latter's institutional and experiential knowledge with guided service delivery to automatically generate the Conditions of Contract for the procurement of goods or services. This application was well received and resulted in significant time savings.

The LTiO also worked together with other AGC divisions on a variety of projects, including an application that was developed in-house to assist with the creation of the table of contents for court bundles. Further, the LTiO continued to be involved with the development of Intelligent Workspace, an end-to-end digital workspace that will serve most of the AGC's legal work needs.

As at 31 December 2019, there were two LSOs in the LTiO.

Vikneswaran s/o Kumaran

Senior Assistant Director

Legal Technology & Innovation Office
Attorney-General's Chambers

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Crime Division

In 2019, the Crime Division continued to advance the public interest through fair and independent prosecutions. In addition, we assisted the courts to develop sentencing frameworks, and provided feedback on the Criminal Law Reform Act 2019.

(1) High-Profile Prosecutions

- (a) In *Public Prosecutor v Ahmed Hussein Abdul Kadir S/O Sheik Uduman* (SC-908340-2019, unreported), the offender was the first Singaporean to be prosecuted under section 4(a) of the Terrorism (Suppression of Financing) Act for donating money to a known radical preacher. The offender pleaded guilty and was sentenced to 30 months' imprisonment.
- (b) In *Public Prosecutor v Khoo Kwee Hock Leslie* [2019] SGHC 215, we successfully prosecuted the offender in the "Gardens by the Bay murder". He was convicted of murder and sentenced to life imprisonment.
- (c) *Public Prosecutor v Ng Kheng Wah and others* [2019] SGDC 249 was the first prosecution under Regulation 5(a) of the United Nations (Sanctions – Democratic People's Republic of Korea ("DPRK")) Regulations 2010. The offender, through a company, supplied prohibited luxury goods with a total value exceeding \$6 million to the DPRK. The offender pleaded guilty and was sentenced to 34 months' imprisonment, and the company was fined \$880,000.
- (d) *Public Prosecutor v BSR* [2019] SGHC 64 was the first prosecution under the Prevention of Human Trafficking Act for spousal trafficking. The offender forced his wife to prostitute herself, and sexually abused his 6-year-old daughter and 13-year-old niece. He pleaded guilty and was sentenced to 25.5 years' imprisonment, 24 strokes of the cane and fined \$12,000. The offender has appealed against the sentence.

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- (e) In *Public Prosecutor v Zkert M Rushdi* [2019] SGDC 243, we prosecuted, for the first time, a foreigner based overseas who had set up shell companies and corporate bank accounts in Singapore to launder money. The Russian offender was convicted after trial and sentenced to 88 months' imprisonment. He has appealed against his conviction and sentence.
- (f) The **SkillsFuture scam** involving about \$40 million was the largest case of fraud perpetrated against a public institution in Singapore. We worked closely with the Singapore Police Force to bring the syndicate members to book. As at 31 December 2019, 17 syndicate members have been charged. Seven syndicate members have pleaded guilty, mainly to money-laundering offences, and have been sentenced to imprisonment.
- (2) Sentencing Frameworks Developed**
- (a) In *BPH v Public Prosecutor and another appeal* [2019] 2 SLR 764, the Court of Appeal ("CA") held that the *Pram Nair* sentencing framework is applicable to *all* forms of sexual assault by penetration.
- (b) In *Low Song Chye v Public Prosecutor and another appeal* [2019] 5 SLR 526, the High Court ("HC") adopted a two-step sentencing framework for voluntarily causing hurt, based on the *Public Prosecutor v BDB* [2018] 1 SLR 127 sentencing framework for voluntarily causing grievous hurt.
- (c) In *Ye Lin Myint v Public Prosecutor* [2019] SGHC 221, the HC developed a harm-culpability sentencing matrix for criminal intimidation by anonymous means.

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(3) Other Important Decisions

- (a) In *Adili Chibuike Ejike v Public Prosecutor* [2019] 2 SLR 254, the CA clarified that the element of possession involves an inquiry into knowledge, and restated the elements of wilful blindness.
- (b) In *BLV v Public Prosecutor* [2019] SGCA 62, the CA enhanced the accused's sentence to take into account his abuse of the court process by colluding with a witness.
- (c) In *Gursharan Kaur Sharon Rachael v Public Prosecutor* (CA/CM 19/2019, unreported), the CA held that corruption of a foreign public official is an aggravating factor, having regard to Singapore's obligations under the United Nations Convention Against Corruption.
- (d) In *Ramesh all Perumal v Public Prosecutor and another appeal* [2019] 1 SLR 1003, the CA stressed the importance of the Prosecution developing a unified case theory. The CA also held that a person holding a quantity of drugs with the intention of returning it to the person who originally deposited them, would not be trafficking in those drugs.

- (e) In *Public Prosecutor v Soh Chee Wen and another* [2019] SGHC 235, the HC held that the Prosecution has the right to assert litigation privilege in criminal proceedings.

(4) Other Initiatives

- (a) Development milestones have been drawn up to enable prosecutors to better understand the skill sets, work assignments and professional training that they should be exposed to at different stages of their career development.
- (b) The State Prosecuting Officers ("SPO") Scheme was enhanced to widen the scope of cases which SPOs can prosecute and the mentions which they may attend on behalf of the Public Prosecutor.

As at 31 December 2019, there were 215 LSOs in the Crime Division.

**Kow Keng Siong, Tan Kiat Pheng
& Lee Lit Cheng (Ms)**
Chief Prosecutors

Crime Division
Attorney-General's Chambers

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International Affairs Division

The IAD advances and protects Singapore's interests as legal advisors to Government, negotiators at international meetings, and advocates in international disputes.

The IAD advised Ministries and statutory boards on a broad spectrum of international law issues, including on the introduction of standardised packaging of tobacco products in Singapore, and on measures to reduce the consumption of sugar-sweetened beverages in Singapore. The IAD also advised on the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, resulting in the successful repatriation of waste shipments from Singapore to the appropriate countries. On the bilateral front, the IAD advised on issues relating to Singapore's maritime and air space, Singapore's rights under the Water Agreement with Malaysia, and transport projects such as the Rapid Transit System.

The IAD was involved in a number of international negotiations in 2019, including:

- (a) maritime boundary negotiations;
- (b) trade-related negotiations such as the Regional Comprehensive Economic Partnership, and United Nations Commission on International Trade Law Working Group III on Investor-State Dispute Settlement Reform;
- (c) defending Singapore's human rights record at the 42nd Regular Session of the United Nations Human Rights Council;
- (d) negotiations on a Code of Conduct in the South China Sea, which reached a milestone in July 2019 with the completion of the first reading of the single draft negotiating text; and
- (e) climate change negotiations, which led to the overarching decisions of the United Nations Climate Change Conference COP 25.

IAD officers also represented Singapore as a third party in several World Trade Organisation disputes, namely, the United States of America-China dispute on tariffs, the Qatar-United Arab Emirates and Qatar-Saudi Arabia trade and security disputes, and the Appellate Body proceedings involving Australia's tobacco plain packaging measures.

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The IAD cooperated with international authorities in various mutual legal assistance and extradition matters, including the arrest and extradition of a fugitive wanted for one of the largest fraud and money laundering schemes in the United States of America.

The IAD profiled Singapore's thought leadership through speaking engagements such as the 113th Annual Meeting of the American Society of International Law. The IAD also actively supported the development of international law expertise through events such as the ASEAN Law Academy 2019 Changemaker Programme. Additionally, the IAD's Treaties Section published a Treaty Handbook and conducted talks for Government agencies on the treaty-making process.

As at 31 December 2019, there were 43 LSOs in the IAD.

Daphne Hong Fan Sin (Ms) **Director-General**

International Affairs Division
Attorney-General's Chambers

Civil Division

The Civil Division ("Division") is Government's primary legal advisor. In 2019, the Division rendered advice on Government's digitalisation initiatives including the Networked Trade Platform and National Digital Identity, and major procurements such as the Robotics Process Automation Services tender. The Division also advised on data protection and governance issues, as well as matters relating to the POFMA and the Electronic Transactions Act.

The Division conducted comprehensive training for public sector officers by way of the Know the Law Seminar in May 2019 and the Public Procurement Conference in July 2019.

Notable litigation matters handled by the Division include:

- (a) *Attorney-General v Ong Wui Teck* [2019] SGHC 30 – The High Court accepted that the respondent should be committed for contempt of court for making abusive allegations attacking a High Court Judge and the Supreme Court in affidavits filed in an application to disqualify the Judge from hearing certain legal proceedings.

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- (b) *Ong Ming Johnson and others v Attorney-General* (HC/OS 1114/2018, unreported) –

The Attorney-General defended Government against constitutional challenges to section 377A of the Penal Code brought by three applicants. This case involves Articles 9, 12 and 14 of the Constitution.

As at 31 December 2019, there were 59 LSOs in the Division.

David Chong Gek Sian
Chief Counsel

Civil Division

Attorney-General's Chambers

- (c) *Re Asia Development Pte Ltd* [2019] SGHC 181 –

The Attorney-General was successful in canvassing the *Carltona* principle in relation to a decision by the Chief Tax Policy Officer not to allow the Additional Buyer Stamp Duty to be repaid to the applicant. The High Court expressly endorsed the *Carltona* principle, which allows the Minister's powers and duties to be exercised under his authority by responsible officials of his department.

Legislation Division

The LEGIS is the central law drafting office and keeper of the Singapore Statute Book. LEGIS provides law drafting and legislative consultancy services to Government and all public sector agencies (including Town Councils). LEGIS also provides free online access to Singapore legislation through its Singapore Statutes Online website.

- (d) *Tan Liang Joo John v Attorney-General* [2019] SGHC 263 – The Attorney-General successfully opposed an application for a declaration that the applicant was not disqualified from standing for elections under Article 45(1)(e) of the Constitution, notwithstanding his conviction for an offence of scandalising contempt, for which he was sentenced to a fine of \$5,000.

In 2019, 37 Bills (2,133 pages) were drafted for introduction in Parliament. The Bills covered subjects ranging from establishing the new CareShield Life and ElderShield schemes, preventing electronic communication of false statements of fact under the POFMA, criminal law reform to keep up with technological changes and enhance protection for minors and vulnerable victims, to establishing the Singapore Food Agency. LEGIS also drafted 902 pieces of subsidiary legislation (totalling 4,634 pages) and saw an increase in the legal complexity of work, with 4,286 pieces of advice rendered, a 75% increase from 2018.

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LEGIS continued the “Plain Laws Understandable by Singaporeans” initiative (started in 2013), releasing a short video entitled “*Introduction to Singapore Legislation*” to give an overview of Singapore legislation and how legislation is made.

LEGIS also continued the universal revision of all Acts, simplifying and modernising the text, and working on providing a more comprehensive and user-friendly legislative history.

To enhance its work processes, LEGIS commissioned a pilot use of text-to-speech technology. A proof-of-concept software has been developed to facilitate the two-way reading process for proofreading draft legislation.

LEGIS also expanded the scope of its in-house publication, publishing 100% of subsidiary legislation in-house since 1 February 2020. In-house publication has allowed LEGIS to publish legislation (regardless of length or complexity) with a more streamlined process and shorter timelines, giving our clients greater flexibility. All Bills are typeset and prepared in-house.

LEGIS has continued to support its officers and external stakeholders with training. LEGIS ran an in-house training with a Law Revision Specialist from Canada to discuss law revision issues to achieve greater consistency. LEGIS also collaborated with the Civil Service College to hold a proofreading course for its officers to enhance the accuracy of published legislation, and run the Law Making and Policy course and Legislative Drafting Course for stakeholders.

As at 31 December 2019, there were 31 LSOs in LEGIS.

Jeanne Lee Ming En (Ms)
Chief Legislative Counsel
Legislation Division
Attorney-General’s Chambers



**MINISTRIES,
LEGAL SERVICE
DEPARTMENTS
AND STATUTORY
BOARDS/STATUTORY
BODIES**

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Legal Service Officers (“LSOs”) may be posted to Ministries as representatives of the Attorney-General to undertake a wide range of legal work. The current Ministries are: Communications and Information; Culture, Community and Youth; Defence; Education; Finance; Health; Home Affairs; Law; Manpower; National Development; and Social and Family Development. In these roles, LSOs provide legal advice, draft and vet legal documents, and assist in the review and drafting of legislation. They may also hold leadership or management positions and be involved in the formulation of policies and the administration of finances and personnel within the Ministries.

LSOs may also be posted to Legal Service departments or seconded to statutory boards/statutory bodies and key public institutions such as the Accounting and Corporate Regulatory Authority, the Commercial Affairs Department, the

Competition and Consumer Commission of Singapore, the Defence Science and Technology Agency, the Economic Development Board, the Health Sciences Authority, the Inland Revenue Authority of Singapore, the Insolvency and Public Trustee’s Office, the Intellectual Property Office of Singapore, the Land Transport Authority, the Singapore Land Authority, the Legal Aid Bureau, the Majlis Ugama Islam Singapura, the Monetary Authority of Singapore, the National Environment Agency, the Personal Data Protection Commission, the Singapore Medical Council, the Syariah Court and the Office of the Public Guardian. A senior LSO usually assumes primary responsibility for the administration and management of these organisations or departments, while LSOs in these organisations or departments implement the legislation and policies falling within the ambit of that organisation or department.

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Ministry of Defence

The Ministry of Defence (“MINDEF”) Legal Services Department (“MLS”) provides legal support to MINDEF, the Singapore Armed Forces (“SAF”), and MINDEF-related organisations. MLS is headed by the Director, Legal Services, who is concurrently appointed by the Armed Forces Council as Director Legal Services and the Chief Military Prosecutor of the SAF. She is also the Chief Operations Law Advisor.

In 2019, MLS marked its 50th anniversary with a commemorative lunch attended by its legal pioneers, including Mr Tan Lian Ker and Mr Richard Magnus.

On the legal work front, MLS was heavily engaged with the management of cases involving death of servicemen in the course of SAF training. This included legal support for the committees of inquiry, advising on compensation-related issues and preparation of public and parliamentary releases. MLS also undertook military prosecutions of servicemen who had committed breaches of their duties, including the two servicemen involved in the death of CFC(NS) Aloysius Pang.

In the area of operations law support for the SAF, MLS was invited by SAF for the first time to participate in Exercise Forging Sabre (XFS), an SAF integrated strike exercise held in Idaho, United States, where our legal officers provided legal advice on targeting issues to the integrated strike team. Other major legal work included reviewing the SAF Rules of Engagement and doctrine papers with SAF Higher HQ departments.

2019 continued to be another busy year for the MLS international law team. MLS supported MINDEF with the negotiations for and drafting of the extension of the 1990 Memorandum of Understanding Regarding United States Use of Facilities in Singapore as well as the conclusion of the treaty with Australia on military training facilities in Shoalwater Bay and Greenvale, and a new memorandum of understanding between Singapore and the United States for a training detachment facility in Guam.

As at 31 December 2019, there were 11 LSOs in MLS.

Teoh Ai Lin (Ms)

Director

Legal Services Department
Ministry of Defence &
Singapore Armed Forces

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Defence Science and Technology Agency

The Defence Science and Technology Agency (“DSTA”), a statutory board under the Ministry of Defence, harnesses and leverages science and technology, and provides technological and engineering support to meet the defence and national security needs of Singapore. Its primary roles and functions include the design, development, acquisition and integration of platform and weapons systems, as well as operations and support management.

The Legal Department (“LD”) provides legal and policy advice to the DSTA and its subsidiaries on matters concerning procurement, intellectual property, building infrastructure and estate and facilities management. The LD also advises on general contractual issues, data protection and human resource matters.

The LD’s key initiatives in 2019 included contracting and legal documentation for the Singapore Defence Tech Summit 2019, and contributing content for a legal module as part of DSTA’s e-learning initiative.

As at 31 December 2019, one LSO was seconded to the DSTA.

Douglas Chi Qiyuan

Director

Legal Department

Defence Science and Technology Agency

Ministry of Law

The International & Advisory Group (“IAG”) and Legal Policy Group (“LPG”) at the Ministry of Law (“MinLaw”) play a critical role in upholding the rule of law, advancing access to justice and ensuring a sound, progressive legal framework.

The IAG comprises the International Legal Division (“ILD”) and Policy Advisory Division (“PAD”). The ILD advances Singapore’s interests through the development and implementation of progressive international legal policy. In 2019, the ILD participated in bilateral negotiations with international partners and international negotiations on multilateral instruments across a range of issues, from international criminal cooperation to the completion of the Hague Judgments Convention and the establishment of the United Nations Commission on International Trade Law Academy in Singapore. The ILD was also involved in lobbying for the Singapore Convention on Mediation (“SCM”) and organising the SCM Signing Ceremony and Conference, including organising the programme and speakers, a Ministerial roundtable, and preparing for bilateral calls.

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

The PAD provides legal support and expertise to policy departments on legislation, policy and law reform matters. The policy areas that the PAD helps to support and drive include legal industry policy and regulation, land matters, intellectual property, and community legal services, including insolvency and restructuring. In 2019, the PAD's projects included the implementation of the Unclaimed Money Fund framework under the Legal Profession Act, the introduction of the SCM into domestic legislation and the development of subsidiary legislation under the Insolvency, Restructuring and Dissolution Act 2018. The PAD also worked with stakeholders to conduct SCM training and capacity-building workshops for foreign governments.

The LPG comprises the Civil & Legislative Division and the Criminal Policy Division. The LPG ensures that the rule of law is upheld by vetting all Government Bills for legal policy issues before introduction in Parliament. The LPG also steers legislative reforms to civil, criminal, family and community-related laws. In 2019, the LPG introduced five bills spanning a wide range of areas:

- **Criminal Law Reform Act:** Major amendments to the Penal Code under this Act ensured that our laws kept pace with crime trends and social mores, and enhanced protection for vulnerable victims.

- **Criminal Procedure Code (“CPC”) (Amendment) Act:** These amendments refined our laws on criminal procedure and built on wide-ranging changes to the CPC in 2018.
- **Protection from Online Falsehoods and Manipulation Act 2019 (“POFMA”):** This landmark Act provided levers to counter online falsehoods and the misuse of online accounts and bots.
- **Protection from Harassment (Amendment) Act:** These amendments streamlined court processes for victims of online bullying and harassment and introduced a new offence of doxxing.
- **Supreme Court of Judicature (Amendment) Act:** This Act introduced reforms to the civil justice system and created a new Appellate Division of the High Court.

As at 31 December 2019, there were 32 LSOs in MinLaw.

Joan Janssen (Mrs)
Director-General
(International & Advisory)
 Ministry of Law

Tammy Low Wan Jun (Ms)
Director-General
(Legal Policy)
 Ministry of Law

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Legal Aid Bureau

The Legal Aid Bureau (“the Bureau”) provides legal advice and assistance and court representation for persons of limited means in civil matters. In 2019, the Bureau handled about 9,500 applications for legal aid, advice and assistance, supported by 200 Assigned Solicitors from private practice and 11 Volunteer Assistant Directors of Legal Aid.

The Bureau also took on 123 complex civil, family and Syariah court cases in-house, which ranged from contested ancillary matters, to appeals and medical negligence cases.

The Bureau underwent a transformation exercise in 2019, to increase its efficiency, upskill its legal executives, and develop the Bureau’s internal operations policy, strategic planning as well as data analytics capabilities. It also launched the Specialist Legal Executive scheme under which four of our legal executives who are not qualified persons under the Legal Profession Act, were trained and gazetted to give legal advice and attend court hearings for certain types of uncontested divorce cases.

The Bureau also worked on three digitalisation projects, namely:

- (a) the Intelligent Legal Assistance Bot, a chatbot which provides tailored legal information to users;
- (b) the Divorce Asset Informative Division Estimator which provides an estimate on a divorcing party’s likely share of the matrimonial assets; and
- (c) the Applicant Portal which enables the Bureau’s applicants to transact with the Bureau online.

Lastly, amendments to the Legal Aid and Advice Act were passed in Parliament in November 2018 and these came into force in two phases: on 31 May 2019 to improve the administration of legal aid; and on 16 October 2019 to simplify the means criteria for legal aid and provide greater flexibility to assist applicants who do not meet the criteria.

As at 31 December 2019, there were 21 LSOs in the Bureau.

Lim Hui Min (Ms)

Director

Legal Aid Bureau

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Insolvency and Public Trustee's Office

The Insolvency and Public Trustee's Office ("IPTO") is headed by the Official Assignee, who is concurrently the Official Receiver, Public Trustee, and Registrar of Moneylenders and Pawnbrokers. The LSOs in IPTO advise on legal issues in administering insolvencies and trusts, and in regulating moneylenders and pawnbrokers. The LSOs also conduct civil litigation before the High Court and prosecutions in the State Courts.

In 2019, IPTO underwent a reorganisation. A new division, headed by an LSO, was established to perform the new statutory role of licensing and regulation of insolvency practitioners in Singapore. A business excellence unit was also set up to drive innovation, enhance productivity and strengthen partnerships. To continually engage its stakeholders, IPTO hosted key events like the 2nd INSOL Legislative and Regulatory Colloquium, 3rd Insolvency Stakeholders' Lunch and Voluntary Welfare Organisations Workshop.

With the LSOs' assistance, IPTO significantly reduced the number of undischarged bankrupts from a high of 17,838 in 2017 to 11,721 in 2019, giving them a new financial start. A cutting-edge electronic Insolvency Case Management Platform was launched on 28 October 2019, digitalising bankruptcy administration.

Together with the Attorney-General's Chambers, the Ministry of Law and the Supreme Court, the LSOs continued work on over 50 pieces of subsidiary legislation needed to implement the Insolvency, Restructuring and Dissolution Act 2018 that was targeted to commence in the first half of 2020.

The LSOs provided legal support for amendments to the Moneylenders Rules and related Registrar's Directions in July/August 2019. These reforms introduced further safeguards to stem the increase in lending to foreigners. Significant prosecutions included *Public Prosecutor v Tan Teck Leng* (DSC 900168/2019 and another, unreported), where a loan officer was convicted and sentenced to a fine of \$8,000 for knowingly giving false information to an authorised officer of the Registry of Moneylenders.

As at 31 December 2019, there were seven LSOs in the IPTO.

Tan Boon Heng Official Assignee & Public Trustee and Registrar of Moneylenders & Pawnbrokers

Insolvency Office, Public Trustee's Office
and Registries of Moneylenders &
Pawnbrokers

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Singapore Land Authority

The Singapore Land Authority (“SLA”) is responsible for the management and optimisation of State land. It provides the land titles and boundaries infrastructure for secure property transactions. SLA also drives the use and development of geospatial information science and technology.

SLA administers the Residential Property Act (“RPA”) and reviews policies on foreign ownership of landed residential property in Singapore. It was announced that listed housing developers with a substantial connection to Singapore can apply for an exemption from the Qualifying Certificate (“QC”) regime. This will better align the QC regime to the RPA’s objectives.

Arising from Smart Nation initiatives, SLA Legal Division advised on whole-of-government projects, such as the review of the Electronic Transactions Act and the creation of an electronic portal allowing SLA to issue, on behalf of participating public agencies, licences for the use of State land.

The Legal Division’s work includes:

- (a) drafting State land tenancy agreements for innovative uses and revenue-sharing models;
- (b) drafting memoranda of understanding to facilitate collaboration between SLA and geospatial partners; and
- (c) reviewing legislation affecting State land, including the State Lands Encroachments Act.

As at 31 December 2019, three LSOs were seconded to the SLA.

Bryan Chew Chee Wan
Assistant Chief Executive
(Legal and Regulatory) and
Registrar of Titles & Deeds
 Singapore Land Authority

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Intellectual Property Office of Singapore

The Intellectual Property Office of Singapore (“IPOS”) is a statutory board under the Ministry of Law. The IPOS leverages Singapore’s intellectual property (“IP”) expertise and networks to drive Singapore’s future growth.

In a show of Singapore’s commitment to multilateralism, international cooperation and inclusive development, the IPOS’ Chief Executive was nominated by Government for the 2020 World Intellectual Property Organisation Director General elections. This is the first time that the Singapore Government has nominated anyone for the leadership position of a United Nations agency.

Singapore also deepened its connectivity to the global economy with the entry into force of the European Union-Singapore Free Trade Agreement and the text-based conclusion of the Regional Comprehensive Economic Partnership. The comprehensive IP chapters in these agreements will increase harmonisation and encourage global investment in intangible assets.

As testament to its achievements, the IPOS was ranked second in the World Trademark Review’s study of the world’s most innovative IP offices, and assumed pole position in Asia. Singapore also maintained its position as one of the most innovative economies in the world and top in Asia in the 2019 Global Innovation Index.

As at 31 December 2019, three LSOs were seconded to the IPOS.

Daren Tang Heng Shim Chief Executive

Intellectual Property Office of Singapore

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Ministry of Home Affairs

The Legal Division (“LD”) of the Ministry of Home Affairs (“MHA”) renders legal advice on a range of operational and policy matters to the divisions within the MHA and its Home Team agencies, including the Singapore Police Force, the Singapore Civil Defence Force, the Singapore Prison Service and the Immigration and Checkpoints Authority. The LD also undertakes transactional legal work, and assists to draft and review contractual agreements, and memoranda of understanding between Home Team agencies and its stakeholders, or with foreign counterparts.

In addition, the LD provides legal and administrative support in the administration of the Criminal Law (Temporary Provisions) Act. It assists the Minister for Home Affairs in assessing the sufficiency of evidence in support of detention and police supervision orders issued thereunder, and performs the functions of a secretariat for the Criminal Law Advisory Committees.

In 2019, the LD provided legal support to ensure the smooth setting up of the Home Team Science and Technology Agency, and the seamless transfer of relevant assets, contracts and staff from the MHA to the new agency. The LD also advised on legislative changes such as the amendments to the Fire Safety Act, Misuse of Drugs Act, and the Home Affairs Uniformed Services Superannuation Act.

In 2019, an LSO was also seconded from the AGC to the MHA’s Policy Development Division (“PDD”), where she undertook policy work in the areas of human rights and criminal justice.

As at 31 December 2019, there were seven LSOs in the LD and one LSO in the PDD.

Tan Wen Hsien (Ms)

Senior Director

Legal Division

Ministry of Home Affairs

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Commercial Affairs Department, Singapore Police Force

The Commercial Affairs Department (“CAD”) is Singapore’s principal white-collar crime enforcement agency and the SPF’s staff authority for all commercial crimes investigations. The CAD is also in charge of the Suspicious Transaction Reporting Office (“STRO”), Singapore’s Financial Intelligence Unit.

In 2019, CAD investigated an employee of the Singapore subsidiary of Wirecard AG, a German public-listed payment service provider, for forging contracts and round-tripping transactions. CAD also investigated a lawyer, Jeffrey Ong, who absconded after \$33 million went missing from his firm’s client account. The suspect was returned to Singapore within 10 days with help from the Royal Malaysia Police.

CAD set up the Anti-Scam Centre in 2019 to identify and freeze bank accounts of money-mules and implement anti-scam initiatives in collaboration with e-Commerce sites like Carousell. CAD and OCBC Bank launched Project POET (Production Orders – Electronic Transmission), a secure platform for banks to provide CAD with key banking information in machine-readable format within one working day (instead of 90 days). Riding on its success in organising the Grants Forum with the Inland Revenue Authority of Singapore, CAD was appointed the investigative domain lead in the Grants Management Committee, which aims to raise capabilities in grants management across the public service.

As at 31 December 2019, one LSO was seconded to the CAD.

David Chew Siong Tai

Director

Commercial Affairs Department
Singapore Police Force

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Ministry of Manpower

With a strength of 52 officers, the Legal Services Division (“LSD”) of the Ministry of Manpower (“MOM”) conducts criminal prosecutions, renders legal advice, adjudicates on work injury claims and administers the financial penalty frameworks under the Employment of Foreign Manpower Act (“EFMA”) and the Employment Act (“EA”).

In 2019, the Prosecution Branch handled an increase of 25.2% of cases from 2018 and achieved several firsts. These included an appeal to the High Court which set a custodial sentence as the benchmark for cases of false declarations in work pass applications under section 22(1)(d) of the EFMA – *Chiew Kok Chai v Public Prosecutor* [2019] 5 SLR 713; obtaining custodial sentences under section 10(1) of the EFMA for self-employed foreigners engaged in an illegal subletting business – *Public Prosecutor v Yu Dajun and Yin Haibo* (MAC 906996 and 906798 of 2019, unreported); and prosecuting an Authorised Examiner who had failed to exercise due diligence in certifying 14 scissors lifts safe for use under the Workplace Safety and Health Act – *Public Prosecutor v Tan Juay Pah* (DSC 900638 of 2017 & others, unreported).

The Civil Advisory and Legislation Branch rendered 269 pieces of legal advice and drafted and vetted 125 contractual agreements. It also worked with AGC on two notable areas: first, the amendments to improve the claims process and enhancements to protection for injured employees under the Work Injury Compensation Act (“WICA”) which were passed in Parliament, and second, a successful outcome for MOM in the first case which was appealed to the High Court under the POFMA – *Singapore Democratic Party v Attorney-General* [2020] SGHC 25.

The Adjudication Branch assessed 1,020 cases under the EFMA and EA and adjudicated 113 cases under the WICA. It has also commenced pilot programmes in harnessing technology to improve the adjudication process, such as Speech-to-Text recognition and e-Investigation Papers.

As at 31 December 2019, there were five LSOs in the LSD.

Alvin Koh Meng Sing
Chief Legal Officer and
Divisional Director
 Legal Services Division
 Ministry of Manpower

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Ministry of Education

The Legal Services Branch (“LSB”) of the Ministry of Education (“MOE”) provides legal services to the various divisions at the MOE Headquarters and to Government schools. The LSB advises on matters such as the MOE’s regulatory powers under the Education Act and the Compulsory Education Act, the implementation of existing or intended education policies, as well as on contracts, disciplinary matters, civil claims, and intellectual property rights. The LSB also actively manages disputes arising from personal injury-related claims, as well as those arising from day-to-day school operations, such as custody and family law issues.

In 2019, the LSB advised the MOE on several aspects of the Uplifting Pupils in Life and Families Taskforce Programme, which aims to support students from disadvantaged families, for example, through the provision of scholarships and financial assistance. As part of a regular review, the LSB revised the templates for a variety of scholarship agreements managed by MOE. Other notable matters included structuring and drafting the funding agreements for the running of special education schools, and the terms of the personal learning device bulk tender for the National Digital Literacy Programme.

As at 31 December 2019, there were six LSOs in the LSB.

Cheryl Siew May Yee (Ms)

Director
Legal Services Branch
Ministry of Education

Ministry of National Development

The Legal Services Unit (“LSU”) of the Ministry of National Development (“MND”) provides legal advice to MND in support of MND’s vision to make Singapore an endearing home and a distinctive global city.

In 2019, the LSU rendered advice on a diverse range of issues including land use planning, housing, infrastructure development, municipal affairs, and wildlife and greenery matters. The LSU also provided legal support on matters pertaining to the Town Councils, planning issues arising from the Draft Master Plan 2019, statutory appeals made to MND, as well as assisting MND policy divisions in the reviewing of legislation under their purview, and in the issuance of statutory directions. In addition, the LSU also worked closely with MND’s statutory boards on the legal aspects of policy and operational matters.

On the transactions front, the LSU advised MND with regard to tenders and contracts, memoranda of understanding

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with local and foreign institutions, tenancy agreements and the issuance of licences for State land. Some significant transactional matters which the LSU dealt with in 2019 included amendments to the public sector conditions for construction works and development agreements for major infrastructure projects.

As at 31 December 2019, there were two LSOs in the LSU.

Crystal Ong Wai Mun (Ms)

Director (Legal)

Legal Services Unit

Ministry of National Development

Ministry of Health

The Legal Office (“LO”) of the Ministry of Health (“MOH”) provides a comprehensive suite of legal services to MOH’s senior management and its divisions, including advising on policy development and review, assisting with legislative reform and providing transactional and litigation support. The LO also conducts criminal prosecutions on behalf of MOH.

In 2019, significant matters in which the LO was involved included:

- (a) assisting in legislative work required for the Tobacco (Control of Advertisements and Sale) (Amendment) Act 2019 and Healthcare Services Act;

- (b) providing support in drafting and implementing recommendations of the MOH-appointed Workgroup to Review the Taking of Informed Consent and the Singapore Medical Council Disciplinary Process;

- (c) conducting MOH’s first prosecution under section 23(2) of the Infectious Diseases Act, where an individual infected with Human Immunodeficiency Virus (“HIV”) failed to comply with section 23(2) requirements prior to engaging in sexual activity;

- (d) supporting ongoing civil and criminal proceedings, in both Singapore and the United States of America, in relation to the unauthorised possession and disclosure of data from MOH’s HIV Registry; and

- (e) providing legal support for legislative, enforcement and emergency procurement measures in connection with MOH’s response to the COVID-19 pandemic.

As at 31 December 2019, there were eight LSOs in the LO.

Tan Sze Yao

Director

Legal Office

Ministry of Health

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Singapore Medical Council

The Legal Division (“the Division”) of the Singapore Medical Council (“SMC”) provides advice to the SMC and various healthcare professional boards regulating dentists, nurses, optometrists and opticians, pharmacists, allied health professionals as well as traditional chinese medicine practitioners. In 2019, it continued to advise the various Councils on matters pertaining to professional conduct and ethics, registration, accreditation, surveillance, investigation, procurement, legislation and policies.

The Division’s work also includes overseeing the conduct of inquiries before Disciplinary Tribunals and other Committees, as well as cases before the courts. In addition, the Division conducts training and seminars for healthcare professionals.

As at 31 December 2019, two LSOs were seconded to the SMC.

Andrew Tan Shao Weng
Director (Legal) and General Counsel
 Singapore Medical Council

Health Sciences Authority

The Legal Department (“LD”) of the Health Sciences Authority (“HSA”) renders legal advice to the HSA’s Senior Management and practice groups on a wide variety of matters, including the regulation of the national blood supply, health products and tobacco. The LD performs advisory and transactional work, involving criminal, contract, tort and intellectual property law, and provides support to HSA’s forensic experts who testify at trial.

Further, the LD conducts criminal prosecutions on behalf of the HSA for contraventions of the Health Products Act, amongst others. In 2019, the LD gave critical legal support to resolve the issue involving the mishandling of HSA’s blood donor data.

As at 31 December 2019, one LSO was seconded to the HSA.

Ruth Teng Xiaohui (Ms)
Director
 Legal Department
 Health Sciences Authority

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Ministry of Social and Family Development

The Legal Services Unit (“LSU”) of the Ministry of Social and Family Development (“MSF”) provides essential legal services to support MSF in its function to develop the “heartware” of Singapore through its policies, community infrastructure, programmes, and services.

Apart from transactional work, the LSU advises MSF on matters including data protection, statutory appeals to the Minister and the administration of legislation under MSF’s purview, such as the Women’s Charter, the Child Development Co-Savings Act, and the Vulnerable Adults Act.

In 2019, the LSU provided extensive legal support to the Guardian-In-Adoption appointed in adoption proceedings and in MSF’s review of its adoption and

family policies. The LSU also advised on the exercise of regulatory powers under the Early Childhood Development Centres Act 2017, which commenced on 2 January 2019, and on complex issues involving charities in the social service sector. Further, the LSU worked closely with various policy and operational divisions of MSF on amendments to the Children and Young Persons Act, which were passed by Parliament on 4 September 2019.

As part of the LSU’s corporate social responsibility efforts, funds were raised for the Assisi Hospice through the sale of hand-made festive wreaths.

As at 31 December 2019, there were five LSOs in the LSU.

Amy Tung Chew Ming (Ms)

Director

Legal Services Unit

Ministry of Social and Family Development

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Office of the Public Guardian, Ministry of Social and Family Development

In order to streamline and enhance operations at the Office of the Public Guardian (“OPG”), the Mental Capacity Act (“MCA”) and the Mental Capacity Regulations were amended and came into effect on 19 July 2019. The waiting time before a Lasting Power of Attorney (“LPA”) may be registered was shortened from six to three weeks. The OPG forms were moved to the OPG’s website and hard copy LPAs were registered in an electronic form. These changes made it easier for the public to make, retrieve and use their LPAs.

As at December 2019, the OPG supervised 2,880 active deputies, an 18.5% increase from 2018. Sixty-one Court reports were furnished under section 37 of the MCA compared to 50 in 2018.

The OPG received 28,790 LPA applications in 2019, a 0.3% increase from 2018. Forty Professional Deputies are registered with the OPG.

As at 31 December 2019, one LSO was seconded to the OPG.

Regina Chang (Ms)

Public Guardian

Office of the Public Guardian

Ministry of Social and Family Development

Ministry of Culture, Community and Youth

The Legal Unit (“LU”) of the Ministry of Culture, Community and Youth (“MCCY”) provides legal services to MCCY (including its autonomous agency, the National Youth Council) in support of MCCY’s mission “Building Singapore’s Social Capital, Inspiring the Singapore Spirit, Together Making Singapore Home”.

In 2019, LU supported a number of prominent Government initiatives, including:

- (a) the hosting of the inaugural International Conference on Cohesive Societies to drive global collective action;
- (b) the establishment and administration of the Bicentennial Community Fund;
- (c) the organisation of the annual YOUTHx Festival; and
- (d) the commemoration of the 60th anniversary of Singapore’s state symbols.

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The LU assisted in MCCY's continued efforts to strengthen the charity and cooperative societies sectors. Notably, the LU worked closely with the Charities Unit on the issuance of Singapore's first suspension order under the Charities Act, as well as advised on the formulation of Codes of Practice for charities and new model by-laws for co-operative societies.

The LU also provided extensive advice on MCCY's citizen engagement projects throughout 2019 and closely supported Outward Bound Singapore's expansion of its capacity to provide outdoor adventure training for students.

As at 31 December 2019, there were three LSOs in the LU.

Ang Ching Pin (Ms)

Director (Legal)

Legal Unit

Ministry of Culture, Community
and Youth

Syariah Court

The Syariah Court ("SYC") is constituted under the Administration of Muslim Law Act ("AMLA") to adjudicate disputes concerning marriage, divorce and related matters between Muslim parties or parties married under Muslim law.

The LSOs, appointed as Registrar and Deputy Registrar, carry out statutory duties under the AMLA and the Muslim Marriage and Divorce Rules. They oversee court operations and registry functions, provide legal support for policy and operational matters, review relevant legislation and work closely with the Presidents of the SYC on the practice of Muslim family law. The SYC collaborates with the Family Justice Courts and other government agencies such as the Legal Aid Bureau and the Housing & Development Board to ensure high service standards and efficient court processes are delivered to court users and the general public.

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In 2019, the LSOs were heavily involved in the SYC's Business Process Re-engineering Journey to transform it into a future-ready agency. This involved a systemic review to support innovation and the use of technology. The LSOs presented at, and the SYC was a supporting partner of, the Family Law Conference 2019 and the Family Justice Practice Forum 2019. A review of Registrar's Circulars was also completed.

As at 31 December 2019, there were two LSOs in the SYC.

Shahrinah Binte Abdol Salam (Ms)

Registrar

Syariah Court & Registry of Muslim Marriages
Ministry of Culture, Community and Youth

Majlis Ugama Islam Singapura

The Majlis Ugama Islam Singapura ("MUIS") advises the President of Singapore on all matters relating to Islam in Singapore and regulates mosques, Islamic education, madrasahs and charitable contributions, amongst other things.

In March 2019, the Legal Unit ("LU") of MUIS was established to provide legal advice on all matters within the purview of MUIS. In 2019, the LU rendered 289 pieces of legal advice related to the drafting and vetting of contracts, memoranda of understanding ("MOUs"), tenancy agreements, notices, affidavits and letters.

The LU conducted several educational talks on Singapore law and the AMLA for MUIS officers. The LU also implemented a MUIS Legal Repository Database that can be accessed by the management of MUIS. The database captures legal advice previously rendered to MUIS by various agencies and templates of agreements, MOUs, and other legal documents previously approved in said advice.

As at 31 December 2019, one LSO was seconded to MUIS.

Shahla Iqbal (Mrs)

Director (Legal)

Majlis Ugama Islam Singapura

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Ministry of Communications and Information

The Legal Services Department (“LSD”) of the Ministry of Communications and Information (“MCI”) provides legal advice and support to MCI’s senior management and divisions in the exercise of MCI’s statutory and regulatory functions, as well as its policy deliberations involving the statutory boards under its purview (namely, the Info-Communications Media Development Authority and the National Library Board).

The LSD’s work covers a diverse range of issues. In 2019, the LSD was actively involved in the enactment and operationalisation of the POEFA and the Cybersecurity Act 2018. The LSD supported MCI’s policy divisions in administering other legislation under MCI’s purview, including the Broadcasting Act and the Personal Data Protection Act 2012. The LSD rendered advice on a range of agreements (such as procurement contracts, funding agreements, collaboration agreements and confidentiality agreements) and on various areas of law (such as contract law, intellectual property and data protection law, administrative and constitutional law, and statutory interpretation). The LSOs in LSD also participated in several

conferences relating to international cyber law.

As at 31 December 2019, there were four LSOs in the LSD.

Vanessa Yeo Xue Ying (Ms)

Director

Legal Services Department
Ministry of Communications
and Information

Data Innovation & Protection Group, Info-communications Media Development Authority

The proliferation of artificial intelligence (“AI”) and data analytics technology brings benefits and new socio-economic issues. The Data Information and Protection Group (“DIPG”) enforces and administers the Personal Data Protection Act 2012, and provides guidance on data-sharing to enable industries to navigate the future data landscape in the digital economy.

The DIPG also gives guidance on the deployment of AI in organisations. Singapore’s Model AI Governance Framework, which was the first in Asia, won a top award at the World Summit on the Information Society Prizes 2019.

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A public consultation was conducted on data portability and data innovation proposals as part of the review of the Personal Data Protection Act 2012.

As at 31 December 2019, two LSOs were seconded to the Info-communications Media Development Authority.

Yeong Zee Kin

Assistant Chief Executive

Data Innovation & Protection Group
Info-communications Media
Development Authority and

Deputy Commissioner

The Personal Data Protection Commission

domestic and international taxation, corporate governance and Government procurement, among others. The LD's work supported various Government projects and initiatives, such as those arising from Budget 2019 (e.g., the SME Co-Investment Fund III which provides patient capital to small-medium enterprises in Singapore).

In addition, the LD has taken on the function of administering the Boards of Review constituted under the Income Tax Act, Goods and Services Tax Act and Property Tax Act, with a view to ensuring that proceedings for each Board of Review are conducted effectively and efficiently. The LD also participated in and represented the MOF at the 10th Annual ASEAN Tax Conference 2019 in Bangkok, Thailand.

As at 31 December 2019, there were four LSOs in the LD.

Louis Ng Shi Zheng

Chief Legal Officer

Legal Directorate
Ministry of Finance

Ministry of Finance

In 2019, the Ministry of Finance ("MOF") Legal Directorate ("LD") expanded its scope of work, beyond its original remit and focus on tax-related advisory matters, to provide advisory services to all MOF directorates on a wide range of legal and policy issues. Over the course of the year, the LD advised on issues relating to Government reserves and investments, Government finance,

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Accounting and Corporate Regulatory Authority

The Accounting and Corporate Regulatory Authority (“ACRA”) is the national regulator of business entities and public accountants in Singapore. Its mission is to provide a responsive and trusted regulatory environment for businesses, public accountants and corporate service providers.

Senior LSO Mr Andy Sim, the Assistant Chief Executive of the ACRA, supervises the work of the LSOs seconded to the Legal Services Department (“LSD”) and Prosecution Department (“PD”) in ACRA.

The LSD LSOs provide legal advice on ACRA-administered legislation, contractual matters, dispute resolution, name complaints and cross-agency projects. The LSD reviewed the Companies Act and other ACRA-administered legislation. The LSD also staffs the Secretariat to the Corporate Law Advisory Panel, an advisory panel to raise law reform issues and provide feedback on ACRA’s law reform proposals.

The LSD LSOs collaborated with the Monetary Authority of Singapore on the implementation of the Variable Capital Companies Act, and with the Ministry of Law on the implementation of the Insolvency, Restructuring and Dissolution Act.

The PD LSOs give legal advice on and prosecute all breaches of ACRA-administered legislation. A noteworthy trial is the case of *Public Prosecutor v Tan Hang Song* [2019] SGDC 52, where the State Courts meted out the highest fine to-date, being a total fine of \$113,400 (\$2,100 per charge) for 54 charges in relation to failures to hold an annual general meeting and failures to file annual returns.

The PD LSOs worked closely with the Ministry of Finance and the Attorney-General’s Chambers in defending the Ministry of Finance’s position in originating summonses filed in the High Court by 18 company directors who were disqualified. The PD LSOs also conduct disciplinary inquiries against public accountants before the Disciplinary Committees appointed by the Public Accountants Oversight Committee.

As at 31 December 2019, 11 LSOs were seconded to ACRA.

Andy Sim Yock Ann
Assistant Chief Executive
 Accounting and Corporate
 Regulatory Authority

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Inland Revenue Authority of Singapore

The Inland Revenue Authority of Singapore (“IRAS”) is a statutory body under the Ministry of Finance. The Law Division of the IRAS (“LD”) provides legal advice to the IRAS and represents the IRAS in tax litigation in relation to various tax types, including individual and corporate income tax, property tax, goods and services tax and stamp duty.

In addition, the LD prosecutes various tax-related offences such as goods and services tax fraud and tax evasion. It is also involved in the drafting of tax legislation arising from annual Budget announcements or other tax changes. Further, the LD provides corporate legal support on matters including contract and procurement.

As at 31 December 2019, six LSOs were seconded to the IRAS.

Tang Siau Yan
Chief Legal Officer
IRAS Law Division
Inland Revenue Authority of Singapore

Competition and Consumer Commission of Singapore

In 2019, the Competition and Consumer Commission of Singapore (“CCCS”) continued with its mission of making markets work well.

CCCS issued an infringement decision against a group of hotels (Capri by Fraser Changi City Singapore, Village Hotel Changi, Village Hotel Katong, and Crowne Plaza Changi Airport Hotel) for exchanging commercially sensitive information relating to their corporate customers. CCCS also secured commitments from lift parts suppliers Chevalier Singapore Holdings Pte Ltd and Fujitec Singapore Corporation Ltd that would allow third-party lift maintenance contractors to compete effectively. CCCS successfully applied for a court injunction against the SG Vehicles group of companies to desist from misrepresentations relating to the delivery dates of motor vehicles and bidding for Certificates of Entitlement. CCCS also secured an undertaking from Charcoal Thai 1 restaurant to cease making misleading representations regarding the duration of its discounts.

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Four merger decisions were cleared, including the acquisition by Bread Talk Group Limited of Food Junction Management Pte Ltd. A merger between private clinical laboratories (*i.e.*, Pathology Asia Holdings Pte Ltd, Innovative Diagnostics Pte Ltd and Quest Laboratories Pte Ltd) was also given conditional clearance after the parties committed to removing exclusivity obligations and to supplying specified tests at fair, reasonable and non-discriminatory prices and service standards. CCCS also conducted a market study on the online travel booking sector in relation to drip pricing, pre-ticked boxes, strike-through pricing and pressure selling, following which CCCS developed a set of guidelines on price transparency for suppliers of all consumer-facing industries.

CCCS signed a memorandum of understanding (“MOU”) with the Competition Bureau Canada, which covers both competition and consumer protection laws. CCCS also signed an MOU with the Asian Law and Economics Association to stimulate research on competition policy and law in ASEAN.

As at 31 December 2019, six LSOs were seconded to the CCCS.

Sia Aik Kor (Ms)

Chief Executive

Competition and Consumer Commission of Singapore

Economic Development Board

The Economic Development Board (“EDB”) is a statutory body under the Ministry of Trade and Industry. It is responsible for strategies that enhance Singapore’s position as a global centre for business, innovation and talent.

The Legal Division (“Division”) primarily advises on tax incentives awarded in support of investments undertaken by companies in Singapore, and financial incentives promoting research and development, training and productivity in Singapore.

The Division also advises on the EDB’s regulatory functions under the Control of Manufacture Act and matters relating to property, data protection, procurement, human resource and contractual issues.

In 2019, the Division oversaw the transfer of DesignSingapore Council from the Ministry of Communications and Information to the EDB, and the transfer of the Overseas Singaporean Unit from the Ministry of Culture, Community and Youth to the EDB.

As at 31 December 2019, two LSOs were seconded to the EDB.

Edrick Guo Zhixian

General Counsel

Legal Division

Economic Development Board

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

Monetary Authority of Singapore

The Monetary Authority of Singapore (“MAS”) is Singapore’s central bank and financial services regulator.

The Enforcement Department (“ENF”) is responsible for detecting, investigating and taking enforcement actions against breaches of laws and rules administered by MAS.

In 2019, an ENF investigation resulted in the conviction of three individuals for a front-running arrangement that generated \$8.07 million in profits. They received imprisonment terms of 20 to 36 months, and prohibition orders of 13 to 15 years. MAS also entered into an \$11.2 million civil penalty settlement with a bank for deceptive trades by its client advisors.

The Prudential Policy Department (“PPD”) drives the formulation of prudential standards for banks, finance companies and financial holding companies.

In 2019, the PPD introduced amendments to the Banking Act, including removing the requirement for banks to segregate their accounting books into the Domestic Banking Unit and the Asian Currency Unit, and rationalising merchant bank regulation. The PPD also developed the admission framework for digital banks. MAS will issue up to five digital bank licences to non-bank players with innovative value propositions, which will add diversity and choice to Singapore’s banking system.

As at 31 December 2019, three LSOs were seconded to the MAS.

Peggy Pao Pei Yu (Ms)
Executive Director and Department Head
Enforcement Department
Monetary Authority of Singapore

MINISTRIES, LEGAL SERVICE DEPARTMENTS AND STATUTORY BOARDS/STATUTORY BODIES

National Environment Agency

The Legal Department (“LD”) of the National Environment Agency (“NEA”) provides legal services to NEA in its mission to achieve a clean and sustainable environment for Singapore, maintain high standards of public health, and promote resource efficiency and conservation. The LD’s prosecutors also prosecute offences under NEA’s laws.

With 2019 being designated as “The Year towards Zero Waste”, the LD actively supported NEA in its first Zero Waste Masterplan. New legislation enacted included the Resource Sustainability Act 2019, to manage electronic waste, packaging waste and food waste.

In 2019, the LD also supported NEA in implementing the new Carbon Pricing Act, and designating the Orchard Road precinct as Singapore’s first no-smoking zone.

As at 31 December 2019, two LSOs were seconded to the NEA.

Jeffrey Sim Mong Heng

Director

Legal Department
National Environment Agency

Land Transport Authority

The Land Transport Authority’s Legal Subgroup (“LTA Legal”) consists of three divisions: (i) Public Transport/Construction/Infrastructure; (ii) Prosecutions; and (iii) Vehicles/Technology. It is led by Winston Cheng, General Counsel, supported by Paul Chia, Deputy General Counsel, and three Deputy Directors.

Major projects include rendering legal advice on the construction of the Thomson-East Coast MRT line, the Jurong Region MRT line and Singapore’s first integrated transport corridor. Legal policies were also developed in respect of new technologies on autonomous vehicles.

The key legislative projects that LTA Legal worked on include the Active Mobility Act, the Point-to-Point Passenger Transport Industry Act, and the Road Traffic (Amendment) Act, which vehicle-related offences the team prosecutes.

As at 31 December 2019, two LSOs were seconded to the LTA.

Winston Cheng Howe Ming

General Counsel

Land Transport Authority Legal Subgroup

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